UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/889
18 August 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 17 AUGUST 1999 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit herewith a letter dated 15 August 1999 addressed to you by Dr. Mustafa Osman Ismail, Minister for Foreign Affairs of the Sudan, on the occasion of the first anniversary of the United States attack on the Al-Shifa pharmaceutical factory in the Sudan, and to request you to bring this letter to the attention of the members of the Security Council.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Elfatih ERWA
Ambassador
Permanent Representative

99-23964 (E) 190899 190899

/...

Annex

Letter dated 15 August 1999 from the Minister for Foreign Affairs of the Sudan addressed to the President of the Security Council

One full year has passed since my country was subjected to an unjust and tyrannical attack by the United States of America. This attack destroyed the Al-Shifa pharmaceutical factory, depriving the country of an important source of medicines and paralysing a significant economic facility that played a prominent part in the economic development of our country and of other countries in the region. This facility had been substantially financed by the Common Market for Eastern and Southern Africa (COMESA) bank for the Preferential Trade Area.

Ever since my Government first wrote to you on this matter, on 21 August 1998, we have steadily maintained that the allegations used by the United States in order to justify the bombing of the factory were completely untrue, unsupported by any material evidence and based on inaccurate intelligence. I should like to point out to the distinguished members of the Council that, in the last 12 months, the United States has failed to present to the Council one single piece of evidence in support of its allegations. It has, rather, deliberately prevaricated and has made every attempt to neutralize the Sudan's complaint.

Here, I should like to refer to the United States false claim that it would, through bilateral channels, attempt to reach a settlement with the Government of my country. This claim has received praise and encouragement from several Security Council members. I must stress yet again that the bilateral negotiations on this issue in which the United States claims to be involved do not exist. In every contact between the two parties, the United States has persistently and deliberately avoided any discussion of the matter. Such contacts have been restricted to bilateral concerns completely unrelated to the issue.

My country has been patient for one year, in the course of which it has continued to keep the Security Council regularly informed of information and facts, supplied by the United States authorities themselves, that confirm the lack of substance to the United States allegations, and that it erred in carrying out the criminal attack on my country. The enormity of that tyrannical attack has become clear to all.

Council members are reminded that the United States Department of Justice has ruled that the Office of Foreign Assets Control must unfreeze the assets belonging to the owner of the Al-Shifa factory, and has informed his lawyers to this effect. The ruling was made on the very day that the owner had asked the United States of America to present its defence in the civil case that he had brought against it.

This ruling confirms beyond doubt the representations consistently made to the Security Council by the Sudan, namely, that the pretexts put forward by the United States of America in order to justify its bombing of the factory were completely fictitious and unsupported by any material evidence, since they were

based on erroneous intelligence reports. United States allegations as to Osama Bin Laden's ownership of the factory, and with regard to what the factory was producing, were completely untrue. The United States of America does not possess any evidence to support these allegations.

My country maintains its unwavering demand for a fact-finding mission to investigate the United States allegations and to put the Security Council in possession of the simple facts about the factory. These have been established by a number of independent local and foreign scientific and media bodies. All those bodies have established beyond doubt that the allegations made by the United States are completely invalid, that the factory was producing medicines for human and veterinary use, and that it was not technically capable of producing any chemical or internationally proscribed materials.

The Government of the Sudan is still waiting for the Security Council to assume its duties and responsibilities under the Charter of the United Nations, and to decide the Sudan's complaint in a manner that will guarantee its enjoyment of its rights under the Charter of the United Nations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mustafa Osman ISMAIL
Minister for Foreign Affairs of the Sudan